

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SHIELDS RIVER BASIN 43A
PRELIMINARY DECREE

* * * * *

CLAIMANT: Leffingwell Ranch Inc.

OBJECTOR: Amber Ranch, LLC

NOTICE OF INTENT TO APPEAR: Amber Ranch, LLC

CASE 43A-0556-R-2022

43A 18863-00

43A 18864-00

43A 18866-00

43A 18867-00

43A 18870-00

ORDER AMENDING AND ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, section 85-2-233(5), the above-entitled Case was assigned to Water Master Anika M. Stern. The Water Master filed a Report containing Findings of Fact and Conclusions of Law on November 30, 2022. On December 1, 2022, the parties objected to the Master's Report. The Objection correctly identifies clerical errors in the Master's Report.

Finding of Fact No. 4 inconsistently references claim 43A 18862-00:

Finding of Fact 4 (page 3, paragraph 3): The first sentence correctly identifies water right number "43A 18862-00" at the beginning of the sentence, but mistakenly notes the water right number as "43A 18852-00" at the end of the sentence. The second reference should be "43A 18862-00" for this water right. The final portion of the last sentence incorrectly lists the basin designation as "43B" instead of "43A". The correct water right number should be listed as 43A 18862-00.

The reference to claim 43A 18852-00 in Finding of Fact No. 4 should be corrected to reference claim 43A 18862-00. The reference to claim 43B 18862-00 in Finding of Fact No. 4 should be corrected to reference claim 43A 18862-00.

Recommendation Nos. 3 through 6 incorrectly reflect the basin designation for the referenced claims as Basin 39E. All references to Basin 39E in Recommendation Nos. 3 through 6 should be corrected to Basin **43A**.

Recommendation No. 5 should reference claim 43A 18867-00. Recommendation No. 6. should be deleted and the subsequent recommendations should be renumbered to reflect proper numerical order, as follows:

5. Claim 43A 18867-00 should be modified as shown in Finding of Fact No. 13.
7. Claim 43A 18870-00 should be dismissed.
8. The issue remarks decreed on claims 43A 18863-00, 43A 18864-00, 43A 18866-00, 43A 18867-00, and 43A 18870-00 should be removed.
9. The Amber Ranch Objections and Notice of Intent to Appear should be dismissed as they have been resolved by the Stipulation.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report with the above-referenced amendments.

ELECTRONICALLY SIGNED AND DATED BELOW.

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